IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 31ST MAY 2007 / 10TH JYAISHTA 1929

Bail Appl..No. 3200 of 2007()

LP.137/2006 of J.M.F.C.-III,KOZHIKODE
CRIME NO.103/00 OF PANNIYANKARA POLICE STATION

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: PETITIONER/ACCUSED:

SYED K., S/O. POKER,
KOLLETH, P.O. PUNNATHALA, VIA. VALANCHERRY,
MALAPPURAM.

BY ADV. SRI.D.KISHORE

RESPONDENTS:

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1. STATE OF KERALA,
REPRESENTED BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. THE SUB INSPECTOR OF POLICE,
PANNIYANKARA POLICE STATION, KOZHIKODE DIST.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 3200 OF 2007

Dated this the 31st day of May, 2007

O R D E R

Petitioner, who is the accused in Crime No.103/2000 of Panniyankara Police Station for offences punishable under Secs.482 IPC and section 53A of Police Act, seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in L.P. No.137/2006 on the file of the J.F.C.M.-III, Kozhikode, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed, after considering the explanation offered by the petitioner for his previous non-appearance.

With the above observation this application is disposed of .

(V. RAMKUMAR, JUDGE)

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